



J-3636A (00050.104600)

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Richard S. Valpey III, et al.) : Examiner: Unassigned
Application No.: 10/653,211) : Group Art Unit: 3746
Filed: September 3, 2003) :
For: AEROSOL DISPENSER ASSEMBLY) :
HAVING LOW VOLATILE ORGANIC) : May 13, 2004
COMPOUND (VOC) CONTENT)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
AND LETTER SUBMITTING JOINT DECLARATION

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the following copending U.S. Patent Application, of which the subject application is a Continuation-in-Part application:

<u>Application No.</u>	<u>Applicant(s)</u>	<u>Filing Date</u>	<u>Group Art Unit</u>
10/350,011	Kendrick et al.	01/24/2003	3752

Applicants are in receipt of a first Office Action dated February 20, 2004, in Application No. 10/350,011 (the '011 application). Copies of the '011 application and the February 20, 2004 Office Action are enclosed.

The Examiner's attention is also directed to the other documents listed on the enclosed PTO-1449 form. That form lists a Joint Declaration of Richard S. Valpey III, Cary E.

Manderfield, and Paul A. Clark ("the Joint Declaration"), and a Japanese Publication No. JP405042979A, copies of which are also enclosed.

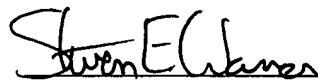
Each of the other foreign or non-patent documents listed on the PTO-1449 form has been cited in the above-noted parent '011 application and, in accordance with 37 CFR 1.98(d), copies of these cited documents are not being provided herewith. Also, since this application was filed after June 30, 2003, copies of the U.S. Patents and/or Published Patent Applications are not being provided herewith, pursuant to the August 5, 2003 Official Gazette Notice entitled: Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.

This Information Disclosure Statement is being filed before the issuance of a first Office Action on the merits. Therefore, no fee under 37 C.F.R. 1.97(c)(2) is believed due. Nevertheless, the Commissioner may charge Deposit Account No. 06-1205, should any fee be due for filing this paper.

Applicants request that the Examiner consider the above information and that a copy of the enclosed PTO-1449 form be initialed and returned indicating that such information has been considered.

Applicants' attorney, Frank B. McDonald, may be reached by telephone at (262) 260-2722. All correspondence should continue to be directed to the address for S.C. Johnson & Son, Inc. given below.

Respectfully submitted,



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SEW/DAD/

ATTY DOCKET NO.
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APPLICANT

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3746

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEMAY 13 2004
U.S. PATENT & TRADEMARK OFFICE
REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Submitted: May 13, 2004

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,482,357 B1	11/19/2002	Fox et al.	422	4	
	6,394,321 B1	5/28/2002	Bayer	222	402.24	
	6,375,049 B1	4/23/2002	Geier	222	402.1	
	6,358,893 B1	3/19/2002	Zechman, III et al.	508	215	
	6,357,633 B1	3/19/2002	Zimmerhackel et al.	222	402.1	
	6,352,582 B1	3/5/2002	Brown	106	3	
	6,260,738 B1	7/17/2001	Kerr et al.	222	402.13	
	6,199,766 B1	3/13/2001	Fox et al.	239	3	
	6,173,907 B1	1/16/2001	Benoist	239	337	
	6,112,633	9/5/2000	Trocino	86	50	
	5,988,455	11/23/1999	Pearson et al.	222	402.1	
	5,975,356	11/2/1999	Yquel et al.	222	54	
	5,957,341	9/28/1999	Schiestel	222	394	
	5,939,060	8/17/1999	Trinh et al.	424	76.4	
	Re. 35,843	7/14/1998	Diamond et al.	222	394	
	5,639,441	6/17/1997	Sievers et al.	424	9.3	
	5,626,840	5/6/1997	Thomaides et al.	424	70.11	
	5,603,919	2/18/1997	Liu et al.	424	47	
	5,586,695	12/24/1996	Labus et al.	222	396	
	5,518,151	5/21/1996	Knickerbocker	222	382	
EXAMINER			DATE CONSIDERED			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant(s).

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*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,467,902	11/21/1995	Yquel	222	402.1	
	5,348,992	9/20/1994	Pearson et al.	523	523	
	5,340,871	8/23/1994	Pearson et al.	523	526	
	5,314,097	5/24/1994	Smrt et al.	222	402.1	
	5,304,368	4/19/1994	Shernov et al.	424	47	
	5,211,317	5/18/1993	Diamond et al.	222	394	
	5,125,546	6/30/1992	Dunne et al.	222	394	
	5,083,683	1/28/1992	Knickerbocker	222	382	
	5,082,652	1/21/1992	Mayfield et al	424	47	
	5,068,099	11/26/1991	Sramek	424	47	
	4,940,171	7/10/1990	Gilroy	222	402.18	
	4,935,224	6/19/1990	Russo et al.	424	47	
	4,680,173	7/14/1987	Burger	424	47	
	4,534,958	8/13/1985	Adams et al.	424	45	
	4,511,069	4/16/1985	Kalat	222	263	
	4,431,120	2/14/1984	Burger	222	192	
	4,322,037	3/30/1982	Heeb et al.	239	337	
	4,230,243	10/28/1980	Spitzer et al.	222	402.18	
	4,203,552	5/20/1980	Hayes	229	337	
	4,174,386	11/13/1979	Spitzer et al.	424	47	
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FORM PTO 1449 (*modified*)ATTY DOCKET NO.
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U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,152,416	5/1/1979	Spitzer et al	424	46	
	4,141,472	2/27/1979	Spitzer et al.	222	189	
	4,124,149	11/7/1978	Spitzer et al.	222	402.19	
	4,117,958	10/3/1978	Spitzer et al.	222	402.18	
	4,116,370	9/26/1978	Spitzer et al.	222	402.18	
	4,056,500	11/1/1977	Stern	260	29.6	
	4,019,657	4/26/1977	Spitzer et al.	222	136	
	3,715,081	2/6/1973	Green	239	573	
	3,648,932	3/14/1972	Ewald et al.	239	337	
	3,647,119	3/7/1972	Samuelson	222	402.18	
	3,635,261	1/18/1972	Morane et al.	141	3	
	3,630,415	12/28/1971	Morane et al.	222	129	
	3,583,642	6/8/1971	Crowell	239	337	
	3,544,258	12/1/1970	Presant et al.	222	192	
	3,137,416	6/16/1964	Shepherd et al.	222	394	
	3,018,023	1/23/1962	Talarico	222	394	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
	9-67204	3/11/1997	Japan			Abstract

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	5-42797	2/5/1993	Japan			Abstract
	3-157328	7/5/1991	Japan			Abstract
	3-148212	6/25/1991	Japan			Abstract
	2-294382	12/5/1990	Japan			Abstract
	61-165320	7/26/1986	Japan			Abstract
	59-93002	5/29/1984	Japan			Abstract
	59-93001	5/29/1984	Japan			Abstract
	59-84802	5/16/1984	Japan			Abstract
	59-84801	5/16/1984	Japan			Abstract
	56-133065	10/17/1981	Japan			Abstract

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	U.S. Patent Application No. 10/350,011, Kendrick et al., Aerosol Dispenser Assembly and Method Of Reducing the Particle Size of a Dispensed Product, filed January 24, 2003, pages 1-16.
	Non-Final Office Action in U.S. Patent Application No. 10/350,011, dated February 20, 2004, Examiner Ali, Art Unit 3744.
	Joint Declaration of Richard S. Valpey III, Cary E. Manderfield, and Paul A. Clark, April 27, 2004, pages 1-6.

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